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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,846	08/22/2003	Se Jun Heo	1670.1013	8145
49455	7590	08/14/2006	EXAMINER	
STEIN, MCEWEN & BUI, LLP 1400 EYE STREET, NW SUITE 300 WASHINGTON, DC 20005			SANTIAGO, MARICELI	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 08/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

✓

Advisory Action
Before the Filing of an Appeal Brief

Application No.

10/645,846

Applicant(s)

HEO ET AL.

Examiner

Mariceli Santiago

Art Unit

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 July 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: see attached office action. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: _____.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached office action.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.

DETAILED ACTION

Response to Arguments

In regards to applicant's contention to the finality of the office action being premature, the examiner respectfully disagrees. The following timeline is provided to clarify the grounds for the finality of the office action.

A first non-final rejection was mailed on June 28, 2005.

On September 8, 2005, Applicant filed an amendment in response to the non-final rejection mailed on June 28, 2005.

A final rejection was mailed on December 1, 2005 in response to the amendment filed on September 8, 2005.

On February 28, 2006 applicant filed an after-final amendment in response to the final rejection mailed December 1, 2005.

Upon review of the arguments filed with the after-final amendment, the examiner found applicant's arguments persuasive, and the finality of the rejection was withdrawn. However, the examiner presented new grounds of rejection required in view of the amendment to the claims filed on September 8, 2005, consequently, the rejection mailed on April 19, 2006 was made final as necessitated by applicant's prior amendment to the claims. As correctly stated by applicant the amendment to the claims filed on February 28, 2006 where directed to a matter of form and where entered as requested.

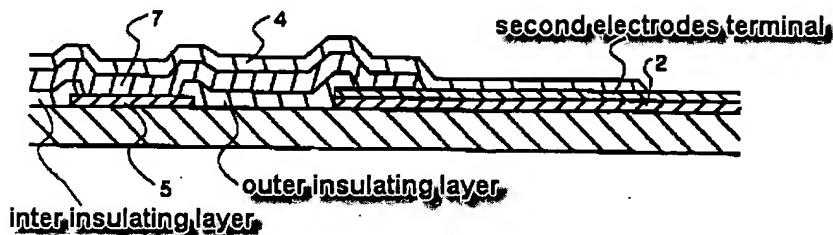
After the first non-final rejection mailed on June 28, 2005, applicant amended the claims to overcome the rejection presented in the non-final rejection. It is noticed that a second or any subsequent actions on the merits shall be final, where the examiner introduces a new ground of rejection that is necessitated by applicant's amendment of the claims (MPEP 706.07), in the

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instant application such amendment was filed on September 8, 2005, thus any subsequent action on the merits shall be made final.

It is noticed that in the rejection of claims 1, 4, 7, 8, 10, 11, 17, 19, 20, 22 and 23 under 103(a) over Codama et al. (US 6,307,317), the statement "in view of Miyaguchi et al. (US 6,297,589)" was inadvertently omitted, however, the rejection of the claims is considered complete since the context of the rejection refers to the Miyaguchi reference which was provided in the PTO 892 form.

Applicant's contention that the prior art references to Codama '317 in view of Miyaguchi '589 fail to teach or suggest singly or in combination the claimed invention since there is no reason or motivation for one skilled in the art to incorporate the feature of Miyaguchi feature into an electrode structure of Codama, when doing so would undoubtedly undermine or defeat the very purpose of Codama, is not found persuasive. Codama discloses an EL device (see Figure below) further comprising a first electrode unit comprising first electrodes (5) formed on the substrate, a second electrode unit comprising second electrodes (4) formed over the first electrodes, an inter insulating layer (layer contacting left side of electrode 5 in Figure) provided under the EL layer and covering a space between each of the plurality first electrodes (5) and an edge portion of a top surface of each of the plurality of first electrodes (5), and an outer insulating layer (6, layer contacting right side of electrode 5 in Figure) between the emission area and the second electrode terminals, wherein the outer insulating layer comprises an insulating material formed to contact at least an edge of the second electrode terminals facing the emission area.



It is noticed that the outer insulating layer of Codama's is construed by extending the inter insulating layer outward from the outermost first electrode toward the second electrode terminals. Codama exemplifies a plurality of evenly spaced island-shaped first electrodes intersecting the plurality of second electrodes, instead of a plurality of parallel evenly spaced lines arranged orthogonal to the plurality of second electrodes as claimed. In the same field of endeavor, Miyaguchi discloses an organic EL display further comprising an electrode arrangement comprising a plurality of first electrode of parallel evenly spaced lines arranged orthogonal to a plurality of second electrodes. Miyaguchi further discloses an inter insulating layer covering the edges of the first electrodes similar to the inter insulating layer of Codama in order to prevent undesired current flow into the organic EL layer. One skilled in the art would reasonable contemplate modification of the plurality of first electrodes disclosed by Codama to incorporate a plurality of parallel evenly spaced lines arrangement as taught by Miyaguchi as an obvious matter of design engineering, since the electrode arrangements of both Codama and Miyaguchi perform the same function of providing the light emitting regions or pixel units at the intersection of the plurality of first and second electrodes. Moreover, both Codama and Miyaguchi teach covering the first electrode edges by providing an inter-insulating layer in order to prevent undesirable current flow.

Applicant's arguments in regards to the rejection of claims 1, 4-8, 10-14, 19, 20 and 23 under 35 U.S.C. 103(a) as being unpatentable over Miyaguchi et al. (US 6,297,589) in view of

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Tadokoro et al. (EP 1 022 931), and the rejection of claims 9, 15, 16 and 24 under 35 U.S.C. 103(a) as being unpatentable over Miyaguchi et al. (US 6,297,589) in view of Tadokoro et al. (EP 1 022 931), and further in view of Okuyama et al. (US 6,531,815) are found persuasive. Accordingly, the above rejections of claims 1, 4-8, 9-16, 19, 20, 23 and 24 are hereby withdrawn.

The new limitation "wherein the insulating layer covers an edge of the second electrode terminals facing the emission area outside the emission area, and reduces a steepness of a step between the second electrode terminals and the substrate" in independent claims 17 and 22, will not be entered since it requires further consideration. The rejection of claims 17, 22 and 25 under 35 U.S.C. 103(a) as being unpatentable over Miyaguchi et al. (US 6,297,589) in view of Tadokoro et al. (EP 1 022 931) is deemed proper. Applicant's contention that the prior art references to Miyaguchi in view of Tadokoro fails to teach an insulating layer covering an edge of the second electrode terminals facing the emission area outside the emission area is not persuasive, since such limitation was not present in the claims at the time of rejection.

For the above stated reasons the request for consideration does not place the application in condition for allowance.

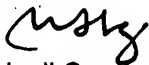
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariceli Santiago whose telephone number is (571) 272-2464. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mariceli Santiago
Primary Examiner
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